C4 Cont'd Sub A5

one or more second callable entities coupled to said telecommunications network, wherein said one or more second callable entities are defined as queues for temporary holding of calls for said one or more first callable entities while said one or more first callable entities are processing other calls;

wherein said one or more first and second callable entities are H.323 compliant; and

wherein said one or more first callable entities are configured to forward said calls to said one or more second callable entities while said one or more first callable entities are busy.

REMARKS

Upon entry of the instant amendment, claims 1-18 are pending. Applicants gratefully acknowledge that claims 15-17 were indicated to be allowable if amended to include all the limitations of the base claim and any intervening claims. Claims 1, 7, and 13 have been amended to more particularly point out Applicants' invention.

Claims 15-17 were objected to as being dependent on a rejected base claim but allowable if amended into independent form to include all the limitations of the base claim and any intervening claims. Claim 15 has been so amended and thus should be allowable.

Claims 1, 4, 7-9, and 13 have been rejected under 35 U.S.C. §102(e) as being anticipated by Miloslavsky et al., U.S. Patent No. 6,175,564 B1 ("Miloslavsky"). In order for there to be anticipation, each and every element of the claimed invention must be present in a single prior reference. Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Miloslavsky.

In particular, an aspect of the present invention is to provide one or more queues which function as callable entities and which may be specified as callable aliases by *endpoints* in an IP telephony system. Thus, if the endpoint is busy, the call can be forwarded to its alias queue *by the endpoint* until such time as the endpoint is not busy. For example, the endpoint that uses queueing merely

need employ a "forward on busy" telephone function to have the call forwarded to the assigned queue. Thus, claim 1 has been amended to recite "wherein said one or more telephony devices define client endpoints adapted to forward said calls to said one or more queues;" claim 7 has been amended to recite "wherein said telephony device comprises a client endpoint and is adapted to request a call transfer to said queue;" and claim 13 has been amended to recite "wherein said one or more first callable entities are configured to forward said calls to said one or more second callable entities while said one or more first callable entities are busy ."

In contrast, as discussed in response to the previous Official Action, Miloslavsky appears to relate merely to a server having a queue buffer. Rather than an endpoint requesting a queue transfer, as generally recited in the claims at issue, the server appears to intercept calls and route them to a queue if necessary,. The server itself and its queue thus do not appear to be an entity callable by a client endpoint or other callable entity, as generally recited in the claims at issue. Instead, Miloslavsky appears representative of the problem solved by the present invention, which allows for simple and effective handling of busy calls. The Examiner is respectfully requested to reconsider and withdraw the rejection of the claims.

Claims 2-3, 5-6, 11-12, and 14 and 18 have been rejected under 35 U.S.C. 103 as being unpatentable over Miloslavsky in view of Naudus, U.S. Patent No, 6,25,691 ("Naudus"). Miloslavsky has been discussed above. Naudus is relied on merely for allegedly teaching an H.323 network. However, like Miloslavsky, Naudus does not appear to relate to a queue as a callable entity, as generally recited in the claims at issue. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection of the claims.

For all of the above reasons, Applicants respectfully submit that the application is in condition for allowance, which allowance is earnestly solicited.

Respectfully requested,

SIEMENS CORPORATION

By: David D. Chung
Registration No.: 38,409
Attorney for Applicant(s)
Tel.: 650-694-5339
Fax: 650-968-4517

Date: 3 Dec. 02

SIEMENS CORPORATION
Intellectual Property Department
186 Wood Avenue South
Iselin, New Jersey 08830
ATTENTION: Elsa Keller, Legal Department
Telephone: (732) 321-3026

Marked Up Claims

1. (Twice Amended) A telecommunications system, comprising:

a packet switched network;

one or more telephony devices coupled to said packet switched network; and

one or more queues, coupled to said packet switched network, said one or more queues configured to receive forwarded calls from said one or more telephony devices and to forward said calls back to said one or more telephony devices when one or more predetermined conditions have been met;

wherein said one or more queues define callable entities for said one or more telephony devices to forward said calls thereto; and

wherein said one or more telephony devices define client endpoints adapted to forward said calls to said one or more queues.

7. (Amended) A method for processing calls in a telecommunication system, said method comprising:

receiving a first call at a telephony device on a network;

receiving a second call at said telephony device while said first call is being processed;

transferring said second call to a queue, said queue being definable as a callable device on said network; and

transferring said second call back to said telephony device after a predetermined condition is met;

wherein said telephony device comprises a client endpoint and is adapted to request a call transfer to said queue.

13. (Amended) A system for processing calls in a telecommunications network, comprising;

one or more first callable entities coupled to said telecommunications network; and

one or more second callable entities coupled to said telecommunications network, wherein said one or more second callable entities are defined as queues for temporary holding of calls for said one or more first callable entities while said one or more first callable entities are processing other calls, wherein said one or more first callable entities are configured to forward said calls to said one or more second callable entities while said one or more first callable entities are busy.

15. (Amended) [The system according to claim 14,] A system for processing calls in a telecommunications network, comprising;

one or more first callable entities coupled to said telecommunications network; and

one or more second callable entities coupled to said telecommunications network, wherein said one or more second callable entities are defined as queues for temporary holding of calls for said one or more first callable entities while said one or more first callable entities are processing other calls;

wherein said one or more first and second callable entities are H.323 compliant; and

wherein said one or more first callable entities are configured to forward said calls to said one or more second callable entities while said one or more first callable entities are busy.